



Practitioner's Docket No. NAIIP486/01.060.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Neil John Hursey et al.

Application No.: 09/975,991

Group No.: 2135

Filed: October 15, 2001

Examiner: To, B.

For: MALWARE SCANNING AS A LOW PRIORITY TASK

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed March 10, 2006, for a second time rejecting claims 1-27.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

06/16/2006 BABRAHA1 00000041 501351 09975991  
01 FC:1401 500.00 DA

CERTIFICATION UNDER 37 C.F.R. ' 1.8(a) and 1.10\*

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*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

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☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10\*

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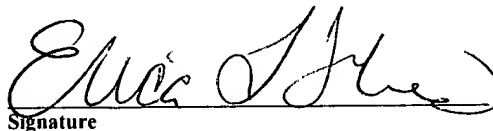
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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 -8300.

Date:

6/12/2006

  
Signature

Erica L. Farlow

(type or print name of person certifying)

\* Only the date of filing ( ' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" ( ' 1.10) or facsimile transmission ( ' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Other than a small entity \$500.00

Notice of Appeal fee due \$500.00

**3. EXTENSION OF TERM**

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$500.00

**TOTAL FEE DUE \$500.00**

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$500.00 to Deposit Account No. 50-1351 (Order No. NAI1P486).

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. NAI1P486).

Reg. No.: 41,429  
Tel. No.: 408-971-2573  
Customer No.: 28875

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Signature of Practitioner

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